

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, January 27, 2015

9:00 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

AGENDA

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **APPROVAL OF AGENDA**
- D. **MINUTES of the meeting(s) of the Planning Commission**
- E. **RECEIPT OF ITEMS FOR THE RECORD**
- F. **HEARINGS AND PUBLIC COMMENT** (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
 - 1. **Continued Agency Hearing** (NONE)
 - 2. **New Agency Hearing**
 - a. Class IV Zoning Permit Z-IV-2015-8, Project Development Use Permit PDU-2015-7, Variance Permit V-2015-1 and Special Management Area Use Permit SMA(U)-2015-6 to permit repair and reconstruction of the former Coco Palms Resort including but not limited to: 350 hotel units, Lotus Restaurant and Flame Room Bar, the Lobby Building, the Commercial Building, three swimming pools, Queen's Audience Hall, the Palms Lanai, Sea Shell Restaurant, Chapel in the Palms, 2 of 4 Bridge Crossings; the construction of a new Utility & Maintenance Building and a new Queen Lagoon Building into a spa and gym

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

2. New Agency Hearing (Cont'd)

- a. facility on the site of the previously demolished structure. The project is situated in Wailua and located at 04-241 Kuhio Highway, further identified as Tax Map Keys 4-1-003: 004 (por.), 005, 007, 011, and 017 and 4-1-005: 014 and 017, and containing a total area of approx. 28.523 acres = *Coco Palms Hui, LLC*. [Director's Report received 1/13/15.]

1. Supplemental No. 2 Director's Report pertaining to this matter.

3. Continued Public Hearing (NONE)

4. New Public Hearing

- a. Zoning Amendment ZA-2015-3 for consideration of request to amend Zoning Condition No. 10 of Ordinance Nos. PM-31-79 & PM-2009-391, and Condition No. 2 of Ordinance No. PM-2001-354, relating to a vehicular access restriction onto Poipu Road for parcels mauka of Poipu Road in Poipu, further identified as Tax Map Keys 2-8-014: 001-004, 019-021 & 2-8-032: 001-057, and affecting a total land area of 218.164 acres = *John Horowitz/Peter Baldwin/Matthew B. Guard/George B. Robinson*.

1. Director's Report pertaining to this matter.

5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)

G. CONSENT CALENDAR

1. Status Reports

2. Director's Report(s) for Project(s) Scheduled for Agency Hearing on 2/10/15. (NONE)

H. EXECUTIVE SESSION

1. Pursuant to Hawaii Revised Statutes Sections 92-5(a)(2 and 4), the purpose of this executive session is to discuss matters pertaining to the evaluation of the Planning Director. This session pertains to the Planning Director's evaluation where consideration of matters affecting privacy will be involved. Further, to consult with legal counsel regarding powers, duties, privileges and/or liabilities of the Planning Commission as it relates to the evaluation of the Planning Director.
2. Pursuant to Hawaii Revised Statutes Sections 92-5(a)(2 and 4), the purpose of this executive session is to discuss matters pertaining to the evaluation of the Deputy Planning Director. This session pertains to the Deputy Planning Director's evaluation where consideration of matters affecting privacy will be involved. Further, to consult with legal counsel regarding powers, duties, privileges and/or liabilities of the Planning Commission as it relates to the evaluation of the Deputy Planning Director.

I. GENERAL BUSINESS MATTERS (NONE)

J. COMMUNICATION (For Action)

1. Letter (1/20/15) from Jonathan Chun, Esq., requesting Commission's reconsideration of its decision to approve the petition to intervene by petitioners Caren Diamond and Barbara Robeson filed with the Commission on January 7, 2015, relating to Class IV Zoning Permit Z-IV-2015-9, Use Permit U-2015-8 and Special Management Area Use Permit SMA(U)-2015-7, *Kirby B. Guyer* and *Milton Searles*, Applicants.
 - a. Update on hiring of Hearings Officer.

K. COMMITTEE REPORTS

1. Subdivision Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

L. UNFINISHED BUSINESS (For Action)

M. NEW BUSINESS

1. For Action – See Agenda F for Project Descriptions

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawai'i 96766 on **Tuesday, February 10, 2015.**

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050

KAUAI PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING

Lihue Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Hawaii 96766

Tuesday, January 27, 2015, 8:30 A.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Subdivision Committee

1. Meeting of November 25, 2014
2. Meeting of December 9, 2014

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

G. GENERAL BUSINESS MATTERS

H. UNFINISHED BUSINESS

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Action

- a. Subdivision Application No. S-2015-06
(*Christopher White & Robert White*)
Proposed 2-lot Subdivision
TMK: (4) 2-8-018:024
Weliweli, Kōloa, Kauaʻi

1. Subdivision Report pertaining to this matter.
2. Letter (10/31/2014) from Yolanda Portugal, requesting a Modification of Requirement to deviate from Section 9-2.3(e) of the Subdivision Ordinance, Kauaʻi County Code (1987), as amended, relating to the construction of curbs gutters and sidewalks.

- b. Subdivision Application No. S-2015-07
(*Property Development Centers, LLC.*)
Proposed 11-lot Subdivision
TMK: (4) 3-3-003:046
Līhuʻe, Puna, Kauaʻi

1. Subdivision Report pertaining to this matter.

- c. Subdivision Application No. S-2015-08
(*Fred A. Duyanen / Gloria T. Rudolfo*)
Proposed 3-lot Subdivision
TMK: (4) 1-3-008:009
Kekaha, Waimea, Kauaʻi

1. Subdivision Report pertaining to this matter.

2. Subdivision Extension Requests

- a. Subdivision Application No. S-2012-12
(*Jean E. Nadatani*)
Proposed 2-lot Subdivision
TMK: (4) 2-5-003:006
Lawaʻi Homesteads, Kōloa, Kauaʻi

1. Evaluation & Recommendation pertaining to this matter.
2. Letter (10/22/2014) from Dennis M. Esaki, requesting extension of this subdivision.

I. NEW BUSINESS (For Action) (Cont'd)

2. Subdivision Extension Requests (Cont'd)

- b. Subdivision Application No. S-2013-08
(Princeville Prince Golf Course, LLC.)
Proposed 9-lot Subdivision
TMK: (4) 5-3-006:025
Kalihikai, Kaua'i

- 1. Evaluation & Recommendation pertaining to this matter.
- 2. Letter (10/6/2014) from Max W.J. Graham, Jr., requesting extension of this subdivision.

3. Final Subdivision Action

- a. Subdivision Application No. S-2006-12
(Visionary, LLC. dba Lihue Land Co.)
Proposed 7-lot Subdivision
TMK: (4) 3-7-003:020
Hanamā'ulu, Līhu'e, Kaua'i

- 1. Subdivision Report pertaining to this matter.

- b. Subdivision Application No. S-2013-21
(Ross L. / Cynthia K. Link)
Proposed 2-lot Consolidation
TMK: (4) 4-7-007:002, 003
Kealia, Kawaihau, Kaua'i

- 1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Suite A473, Līhu'e, Hawai'i 96766. Telephone: (808) 241-4050.